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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,074	11/29/2001	Erich Drobek	112740-382	4541

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BELL, BOYD & LLOYD, LLC
P. O. BOX 1135
CHICAGO, IL 60690-1135

EXAMINER

LE, KAREN L

ART UNIT PAPER NUMBER

2642

DATE MAILED: 11/07/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/998,074

Applicant(s)

DROBEK ET AL.

Examiner

Karen Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 6) ☐ Other: _____.

DETAILED ACTION

Drawing Objection

The drawings are objected to because there is no label such as “contact center” and “monitoring unit” on each component of drawing. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Abstract Missing

This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C.

122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-6, and 8-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Barnes et al. (U. S. 6,594,470).

Regarding claim 1, Barnes teaches a method for mobile monitoring of an interactive service center (Fig. 1, item 102) where, under management of a central installation (Fig. 1, item 108), at least one agent processes inquiries, the method comprising the steps of:

recording data relating to at least one of the processing of the inquiries and the management of the processing (col. 3, lines 13-19);
displaying the recorded data, including displaying the data to a supervisor by a mobile communication unit (Col. 4, lines 20-22); and

monitoring the displayed data by the supervisor (Col. 4, lines 25-27).

Regarding claim 2, Barnes further teaches a method for mobile monitoring of an interactive service center as claimed in claim 1, the method further comprising the step of using the recorded data to create supervisory information which is displayed in the mobile communication unit (col. 4, lines 39-42).

Regarding claim 3, Barnes further teaches the method further comprising the step of transmitting the supervisory information to the mobile communication unit (col. 4, lines 39-42).

Regarding claim 4, Barnes further teaches transmitting at least a selection of the recorded data to the mobile communication unit; and creating the supervisory information in the mobile communication unit (Fig. 1, items 126 and 118), and creating the supervisory information in the mobile communication unit (Fig. 1, item 118 and Col. 4, lines 56-63).

Regarding claim 5, Barnes further teaches controlling, by the supervisor using the mobile communication unit, at least one of the processing of the inquiries and the management of the processing (Col. 5, lines 18-28).

Regarding claim 6, Barnes further teaches the transmission to the mobile communication unit is wireless (Fig. 1, item 126).

Regarding claim 8, Barnes further teaches the supervisory information is a number of agents available in the contact center (Col. 4, lines 27-28).

Regarding claim 9, Barnes further teaches the transmission to the mobile communication unit is effected upon request (Fig. 2, items 206 and 208).

Regarding claim 10, Barnes further teaches the transmission to the mobile communication unit is effected if at least one of the recorded data and the supervisory information satisfies an appropriate criterion (col. 5, lines 45-52).

Regarding claim 11, Barnes further teaches an apparatus in an interactive service center, comprising:

at least one terminal for processing inquiries via an agent (Fig. 1, item 130);
a central installation for managing the processing of the inquiries (fig. 1, item 102);
a mobile communication monitoring unit (Fig. 1, item 118) for displaying at least one of management data, processing data and data derived therefrom for a supervisor; and
a unit (Fig. 1, item 136) for transmitting data for the mobile communication unit (Fig. 1, item 118).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barnes et al. (U. S. 6,594,470) in view of the admitted prior art (Fig. 2 of this application).

Regarding claim 7, Barnes does not teach the step of displaying, additionally, at least one of the recorded data and the supervisory information to the supervisor by a fixed unit. However, the admitted prior art (Fig. 2) teaches displaying, additionally, at least one of the recorded data and the supervisory information to the supervisor by a fixed unit. Thus, it would have been

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obvious to one of ordinary skill in the art at the time the invention was made to allow a fixed unit of the prior art and Barnes's mobile unit to operate concurrently. Concurrent operation increase efficiency.

Conclusion

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

Hand-delivered responses should be brought to

Crystal Park II, Sixth Floor (Receptionist)

2121 Crystal Drive

Arlington, VA 22202

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Le whose telephone number is 703-308-4998. The examiner can normally be reached on Monday - Friday from 8:30 A.M. to 5:00 P.M.

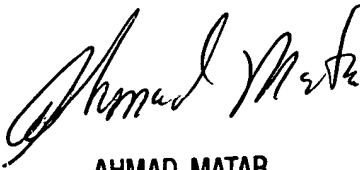
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

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Karen Le
KLL
October, 27 2003



AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600